

1
2
3
4
5
6
7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 KENNETH MILLS,

No. CIV S-04-1649-DFL-CMK

12 Plaintiff,

13 vs.

ORDER TO SHOW CAUSE

14 STATE OF CALIFORNIA, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant
18 to 42 U.S.C. § 1983. On September 1, 2004, the court directed plaintiff to submit either an
19 application for leave to proceed in forma pauperis or the filing fee within 30 days. That order was
20 served by the Clerk of the Court on plaintiff at the following address, which was plaintiff's
21 address of record as of the date of service:

22 San Joaquin County Jail
23 999 West Matthews Road
French Camp, CA 95231

24 That order was returned as undeliverable on October 13, 2004.

25 ///

26 ///

1 On March 3, 2005, plaintiff submitted a document to the court. That document
2 reflects that plaintiff changed addresses. In the interest of justice, On October 6, 2005, the court
3 issued an order construing the March 3, 2005, document as a notice of change of address to the
4 following:

5 Metropolitan State Hospital
6 11401 S. Bloomfield Avenue
Norwalk, California, 90650

7 The October 6, 2005, order also provided plaintiff an additional opportunity to comply with the
8 court's initial September 1, 2004, order, and warned plaintiff that failure to comply may result in
9 dismissal of this case. The October 6, 2005, order was also returned as undeliverable.

10 Accordingly, IT IS HEREBY ORDERED that:


11 1. Plaintiff shall show cause in writing, within 20 days after the date of
12 service of this order, why this action should not be dismissed for lack of prosecution and failure to
13 comply with court orders and rules; and

14 2. The Clerk of the Court is directed to serve this order, along with copies of
15 the court's September 1, 2004, and October 6, 2005, orders on plaintiff at both of the following
16 addresses:

17 Metropolitan State Hospital
18 11401 S. Bloomfield Avenue
Norwalk, California, 90650

19 San Joaquin County Jail
20 999 West Matthews Road
French Camp, CA 95231

21 DATED: October 20, 2005.

22
23 
24 **CRAIG M. KELLISON**
25 UNITED STATES MAGISTRATE JUDGE
26